

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

SCOTT AND RHONDA BURNETT, RYAN )  
HENDRICKSON, JEROD BRIET, SCOTT )  
TRUPIANO, JEREMY KEEL, HOLLEE ELLIS, )  
and FRANCES HARVEY, on behalf of themselves )  
and all others similarly situated, )

Plaintiffs

v.

THE NATIONAL ASSOCIATION OF )  
REALTORS, REALOGY HOLDINGS CORP., )  
HOMESERVICES OF AMERICAN, INC., BHH )  
AFFILIATES, LLC, HSF AFFILIATES, LLC, )  
RE/MAX LLC, and KELLER WILLIAMS )  
REALTY, INC., )

Defendants.

Case No. 19-CV-00332-SRB

**NOTICE OF PENDING SETTLEMENT AND JOINT MOTION  
TO STAY CASE AS TO DEFENDANT RE/MAX, LLC**

Scott and Rhonda Burnett, Ryan Hendrickson, Jerod Breit, Scott Trupiano, Jeremy Keel, Hollee Ellis, and Frances Harvey (collectively “Plaintiffs”) and RE/MAX, LLC (“RE/MAX” and, together with Plaintiffs, the “Parties”) respectfully write to the Court to provide notice that Plaintiffs have reached an agreement with RE/MAX to settle all claims asserted against RE/MAX in this action as part of a proposed nationwide class settlement. This settlement was jointly negotiated with the Plaintiffs in *Moehrl v. The National Association of Realtors, et al.*, Case No. 1:19-CV-01610. The settlement encompasses both classes. This agreement is subject to the Court’s approval under Federal Rule of Civil Procedure 23. Consistent with the Parties’ agreement, Plaintiffs will file a motion in this Court for preliminary approval of the proposed settlement.

As provided by the agreement, Plaintiffs and RE/MAX hereby jointly stipulate and request that the Court stay all deadlines and proceedings solely as to RE/MAX to preserve the resources of

Plaintiffs, RE/MAX, and the Court and to allow the Parties to formalize the settlement agreement and to seek preliminary and final approval of the settlement.

Dated: September 18, 2023

Respectfully submitted by:

KETCHMARK & McCREIGHT

/s/ Michael S. Ketchmark

Michael S. Ketchmark MO # 41018

Scott A. McCreight MO # 44002

Ben H. Fadler MO # 56588

11161 Overbrook Road, Suite 210

Leawood, KS 66211

Tele: (913) 266-4500

Fax: (913) 317-5030

[mike@ketchmclaw.com](mailto:mike@ketchmclaw.com)

[smccreight@ketchmclaw.com](mailto:smccreight@ketchmclaw.com)

[bfadler@ketchmclaw.com](mailto:bfadler@ketchmclaw.com)

BOULWARE LAW LLC

Brandon J.B. Boulware MO # 54150

Jeremy M. Suhr MO # 60075

Erin D. Lawrence MO # 63021

1600 Genessee, Suite 416

Kansas City, MO 64102

Tele: (816) 492-2826

Fax: (816) 492-2826

[brandon@boulware-law.com](mailto:brandon@boulware-law.com)

[jeremy@boulware-law.com](mailto:jeremy@boulware-law.com)

[erin@boulware-law.com](mailto:erin@boulware-law.com)

WILLIAMS DIRKS DAMERON LLC

Matthew L. Dameron MO # 52093

Eric L. Dirks MO # 54921

1100 Main Street, Suite 2600

Kansas City, MO 64105

Tele: (816) 945-7110

Fax: (816) 945-7118

[matt@williamsdirks.com](mailto:matt@williamsdirks.com)

[dirks@williamsdirks.com](mailto:dirks@williamsdirks.com)

*Attorneys for Plaintiffs*

/s/ Jeffrey A. LeVee

Jeffrey A. LeVee (*Pro Hoc Vice*)

Eric P. Enson (*Pro Hoc Vice*)

Kelly M. Watne (*Pro Hoc Vice*)

JONES DAY

555 Flower St

Los Angeles, CA 90071

Tel: (213) 489-3939

[jlevee@jonesday.com](mailto:jlevee@jonesday.com)

[epenson@jonesday.com](mailto:epenson@jonesday.com)

[kwatne@jonesday.com](mailto:kwatne@jonesday.com)

Danne W. Webb (MO #39384)

Andrea S. McMurtry (MO #62495)

HORN AYLWARD & BANDY, LLC

2600 Grand Blvd., Suite 1100

Kansas City, MO 64108

Tel: (816) 421-0700

[dwebb@hab-law.com](mailto:dwebb@hab-law.com)

[amcmurtry@hab-law.com](mailto:amcmurtry@hab-law.com)

***Counsel for Defendant RE/MAX, LLC***

**CERTIFICATE OF SERVICE**

I hereby certify that on this 18<sup>th</sup> day of September 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send a notice of electronic filing to counsel of record for this case.

/s/ Michael S. Ketchmark

*Attorney for Plaintiffs*